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09/741,926	12/20/2000	Ronaldus Hermanus Theodorus Oosterholt	PHN 17,871	9624
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			2174	

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**Technology Center 2100**

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/741,926  
Filing Date: December 20, 2000  
Appellant(s): OOSTERHOLT ET AL.

\_\_\_\_\_  
Ronaldus H. T. Oosterholt  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 4/10/06 appealing from the Office action mailed 11/03/04.

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**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,067,565	Horvitz	5-2000
6,310,630	Kulkarni	10-2001

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz (US 6,067,565) in view of Kulkarni et al. (US 6,310,630).

As per claim 1, Horvitz teaches a device for presenting information units, comprising history means for storing references to presentable information units into a history list, the history means comprising user operable navigation means for changing a current position in the history list (col 40, lines 1-63):

Examiner infers that the history list is a container that contains a list of the web pages, which are previously viewed by the user. Horvitz allows the user to view the pre-fetched web pages, and that would change the position of the web pages that were previously viewed by the user.

and presentation means for presenting an information unit referenced by the reference at the current position, and compilation means for user operably compiling a set of references to desired information units, wherein the compiled set of references includes both previously viewed and un-viewed information units (col. 40, lines 1-30), and storing the references of said set into the history list so as to present an information unit referenced by the compiled set in response to a user operating said navigation means (col 34, lines 19- 46).

However, he fails to teach storing the references of said set according to the time of their inclusion.

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Kulkarni et al. teaches storing the references of said set according to the time of their inclusion (col. 6, lines 45-50)

It would have been obvious to an artisan at the time of the invention to include Kulkarni et al.'s teaching with Horvitz's device in order to allow the users to view their browsing history in chronological order.

As per claim 2, Horvitz and Kulkarni et al. teach the device as claimed in claim 1. Horvitz further teaches the navigation means comprising forward means for changing the current position in the history list to a reference stored more recently than the reference at the current position, the presentation means being adapted to present respective information units referenced by the compiled set in response to the user iteratively operating said forward means(col 40, lines 1-63).

Examiner infers that the feature which is disclosed by Horvitz that allows the user to navigate the web page using forward and back, and allowing the user to view the pre-fetched web pages, which would change the position of the web page that were previously viewed by the user.

As per claim 3, Horvitz and Kulkarni et al. teach the device as claimed in claim 2. Horvitz further teaches the compilation means being adapted to impose a user supplied order on the compiled set of references, and store the references into the history list in accordance with said order (col 34, lines 19- 46).

As per claim 4, Horvitz and Kulkarni et al. teach the device as claimed in claim 1. Horvitz further teaches the comprising bookmark means for storing a bookmark to the compiled set of references (col 14, lines 57- 68, col 15, lines 1-9, col 34, lines 19- 46), and storing the

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references of said set into the history list in response to the user selecting said bookmark (col 40, lines 1-63).

As per claim 5, Horvitz and Kulkarni et al. teach the device as claimed in claim 1. Horvitz further teaches the information units being retrieved from a remote server, the compilation means being adapted to start retrieving information units referenced by the compiled set independently of an operation of the navigation means (col 40, lines 1-63).

As per claim 6, Horvitz and Kulkarni et al. teach an internet access terminal as a device as claimed in claim 1 (col 5, lines 47-59).

As per claim 7, it is rejection with same rationale as claim 1. (see rejection above)

As per claim 8, it is of the same scope as claim 2. (see rejection above).

As per claim 9, it is of the same scope as claim 3. (see rejection above).

As per claim 10, it is of the same scope as claim 4. (see rejection above).

As per claim 11, it is of the same scope as claim 5. (see rejection above).

As per claim 12, Horvitz and Kulkarni et al. teach method of claim 7. Horvitz further teaches a computer program product for performing, when executed on a computing device, the method as claimed in 7 (col 5, lines 49-53).

As per claim 13, Horvitz and Kulkarni et al. teach the device as claimed in claim 1. Horvitz further teaches wherein a first information unit reference by the compiled set is presented immediately (col. 6, lines 45-50).

As per claim 14, it is of the same scope as claim 13. (see rejection above)

#### **(10) Response to Argument**

Appellant made the following arguments:

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A) Horvitz fails to teach “a history list”, “user operable navigation means for changing a current position in the history list,” or “compiling a set of reference including both previously viewed and un-viewed information items and storing the reference.”

B) There is no motivation to combine Horvitz and Kulkarni.

Examiner disagrees:

A) Horvitz teaches these limitations. First, Horvitz teaches a user operable navigation means for changing a current position in the history list. (see Horvitz column 40, lines 20-25) The forward and back control icons allow users to jump into the web pages that were viewed before and after the current page. (see Horvitz column 40, lines 20-25) By allowing the users to navigate in a list of webpage that is sorted in a chronological order, Horvitz is in fact allowing the users to navigate in a history list. (see Horvitz column 40, lines 20-25) Furthermore, Horvitz allows the users to view the previously viewed information items because the users can jump into the web pages that were viewed before the current page. (see Horvitz column 40, lines 20-25) Finally, the user can also view the un-viewed information items by selecting the pre-fetched web pages are not viewed before. (column 10, lines 10-15)

B) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kulkarni provided a reason to combine the two references and that is to

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allow the users to store, and load a linear navigation history list at a later time. (see Kulkarni, column 7, lines 20-40)

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


Peng Ke

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